THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.15102 OF 2006

ORAL ORDER:

The petitioners claim to be the licensees under the provisions of the Andhra Pradesh Excise (Lease of Right of Selling by Shop and Conditions of License) Rules, 2005, in respect of the shops situated at Cherial, in Warangal district. It is stated that the 4th respondent herein, who was granted a licence in respect of Kumarvalli village in Cherial mandal, made an application seeking permission to shift his shop from Kumarvalli village to Gurjakunta cross road of Gurjakunta village of Cherial mandal. The petitioners apprehend that in pursuance of the said request made by the 4th respondent, the respondents 1 to 3 are likely to grant shifting of shop as intended by the 4th respondent. It is alleged that shifting of shop, as sought by the 4th respondent, is in violation of the statutory rules and, therefore, impermissible. In the circumstances, the petitioners made a representation on 13.7.2006, raising objections for the proposed shifting of shop by the 4th respondent. Contending that the respondents 1 to 3 failed to consider their objections, this writ petition is filed.

I have heard the learned counsel for the petitioners and the learned Government Pleader appearing for the respondents 1 to 3.

The learned counsel for the petitioners submitted that as per the amendment to Rule 29(3) of the Rules, by G.O.Ms.No.598 dated 26.5.2006, the Commissioner may permit for valid reasons shifting of the licensed premises within the same Mandal or Municipality or Municipal Corporation.

Be that as it may, since the request of the 4th respondent is still under consideration, I deem it appropriate to dispose of the writ petition with a direction to the respondents 1 to 3, to consider the objections raised by the petitioners in their representation dated

13.7.2006, before passing any order on the request made by the 4th respondent for shifting of the shop.

The writ petition is accordingly, disposed of. No costs.

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(G. ROHINI, J.)

21st July, 2006.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.15102 OF 2006

21st July, 2006.

Between:

P. Venka Reddy and others. .. Petitioners.

And

The Commissioner,
Prohibition and Excise at Nampally,
Hyderabad and two others. .. Respondents.